



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carcagno *et al.*

Appl. No. 09/830,967

Filed: May 3, 2001

For: **Host Cells Expressing  
Recombinant Human  
Erythropoietin**

Confirmation No.

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 1909.0020002/JAG/CMB

**Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

It is hereby requested that the period for replying to the outstanding Notification of Missing Requirements Under 35 U.S.C. 371 be extended four (4) months from July 7, 2001 to November 7, 2001 by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$1,440.00 for a four (4) month extension for a large entity. Fee payment is provided in our accompanying Check No. 33071. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Petition is enclosed.

11/07/2001 LLANDGRA 00000015 09830967

01 FC:118

1440.00 OP

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Cynthia M. Bouchez  
Agent for Applicants  
Registration No. 47,438

Date: November 6, 2001  
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SKGF Rev. 1/26/01 mac

# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision.*

TOTAL AMOUNT OF PAYMENT

(\$ 1,440.00)

**Complete if Known**

Application Number	09/830,967
Filing Date	May 3, 2001
First Named Inventor	Carlos Carcagno
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	1909.0020002/JAG/CMB

**METHOD OF PAYMENT (check one)**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036  
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee
106	330	206	165 Design filing fee
107	510	207	255 Plant filing fee
108	740	208	370 Reissue filing fee
114	160	214	80 Provisional filing fee

SUBTOTAL (1) (\$ 0.00)

**2. EXTRA CLAIM FEES**

Extra	Fee from below	Fee Paid
Total Claims	- 20** =	X =

Indep. Claims	- 3** =	X =
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Multiple Dependent	=	=
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Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim
108	84	209 42 **Reissue independent claims over original patent
110	18	210 9 **Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

\*\* or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity	Small Entity
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Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65 Surcharge - late filing fee or oath		
127	50	227	25 Surcharge - late provisional filing fee or cover sheet		
139	130	139	130 Non-English specification		
147	2,520	147	2,520 For filing a request for ex parte reexamination		
112	920*	112	920* Requesting publication of SIR prior to Examiner action		
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action		
115	110	215	55 Extension for reply within first month		
116	400	216	200 Extension for reply within second month		
117	920	217	460 Extension for reply within third month		
118	1,440	218	720 Extension for reply within fourth month	1440.00	
128	1,960	228	980 Extension for reply within fifth month		
119	320	219	160 Notice of Appeal		
120	320	220	160 Filing a brief in support of an appeal		
121	280	221	140 Request for oral hearing		
138	1,510	138	1,510 Petition to institute a public use proceeding		
140	110	240	55 Petition to revive - unavoidable		
141	1,280	241	640 Petition to revive - unintentional		
142	1,280	242	640 Utility issue fee (or reissue)		
143	460	243	230 Design issue fee		
144	620	244	310 Plant issue fee		
122	130	122	130 Petitions to the Commissioner		
123	130	123	130 Petitions related to provisional applications		
126	180	126	180 Submission of Information Disclosure Stmt		
581	40	481	40 Recording each patent assignment per property (times number of properties)		
146	740	246	370 Filing a submission after final rejection (37 CFR 1.129(a))		
149	740	249	370 For each additional invention to be examined (37 CFR 1.129(b))		
179	740	279	370 Request for Continued Examination (RCE)		
169	900	169	900 Request for expedited examination of a design application		

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,440.00)

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Cynthia M. Bouchez	Registration No. (Attorney/Agent)	47,438	Telephone	202-371-2600
Signature				Date	11/6/01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnac 1909002-2nmfpfee.trm